

Exhibit “B”

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE LANSING COMMUNITY
COLLEGE DATA BREACH
LITIGATION

Case No.: 1:23-cv-00738-PLM-RSK

CLASS ACTION

**DECLARATION OF
SCOTT M. FENWICK OF KROLL
SETTLEMENT ADMINISTRATION LLC
IN CONNECTION WITH FINAL
APPROVAL OF SETTLEMENT**

Date: January 21, 2025

Time: 9:00 AM ET

The Hon. Paul L. Maloney

I, Scott M. Fenwick, declare as follows:

INTRODUCTION

1. I am a Senior Director of Kroll Settlement Administration LLC (“Kroll”),¹ the Settlement Administrator appointed in the above-captioned case, whose principal office is located at One World Trade Center, 285 Fulton Street, 31st Floor, New York, New York 10007. I am over 21 years of age and am authorized to make this declaration on behalf of Kroll and myself. The following statements are based on my personal knowledge and information provided by other experienced Kroll employees working with me and/or under my general supervision. This declaration is being filed in connection with final approval of the Settlement.

2. Kroll has extensive experience in class action matters, having provided services in class action settlements involving antitrust, securities fraud, labor and employment, consumer, and government enforcement matters. Kroll has provided notification and/or claims administration services in more than 3,000 cases.

¹ Capitalized terms used but not defined herein shall have the meanings ascribed to them in the Settlement Agreement (as defined below).

BACKGROUND

3. Kroll was appointed as the Settlement Administrator to provide notification and claims administration services in connection with the Class Action Settlement Agreement and Release (the “Settlement Agreement”) entered into this Action. Kroll’s duties in connection with the Settlement have and will include: (a) preparing and sending notices in connection with the Class Action Fairness Act; (b) receiving and analyzing the Settlement Class List from Defendant; (c) creating a Settlement Website with online claim filing capabilities; (d) establishing a toll-free telephone number; (e) establishing a post office box for the receipt of mail; (f) preparing and sending the Summary Notice via first-class mail; (g) receiving and processing mail from the United States Postal Service (“USPS”) with forwarding addresses; (h) receiving and processing undeliverable mail, without a forwarding address, from the USPS; (i) receiving and processing Claim Forms; (j) receiving and processing requests for exclusion and objections; and (k) such other tasks as counsel for the Parties or the Court request Kroll to perform.

NOTICE PROGRAM

The CAFA Mailing

4. As noted above, on behalf of the Defendant, Kroll provided notice of the proposed Settlement pursuant to the Class Action Fairness Act, 28 U.S.C. §1715(b) (“the CAFA Notice”). At LCC’s Counsel’s direction, on June 27, 2024, Kroll sent the CAFA Notice identifying the documents required, a true and correct copy of which is attached hereto as **Exhibit A**, via first-class certified mail, to (a) the Attorney General of the United States, (b) the fifty-five (55) state and territorial Attorneys General identified in the service list for the CAFA Notice, attached hereto as **Exhibit B**, and (c) via email to the Nevada Attorney General. The CAFA Notice directed the Attorneys General to the website www.CAFANotice.com, a site that contains all the documents relating to the Settlement referenced in the CAFA Notice.

Data and Case Setup

5. On June 11, 2024, Kroll designated a post office box with the mailing address *In re Lansing Community College Data Breach Litigation*, c/o Kroll Settlement Administration LLC, PO Box 225391,

New York, NY 10150-5391, in order to receive requests for exclusion, Claim Forms, objections and correspondence from Class Members.

6. On September 6, 2024, Kroll established a toll-free telephone number, (833) 739-0859, for Class Members to call and obtain additional information regarding the Settlement through an Interactive Voice Response (“IVR”) system and by being connected to a live operator. As of January 7, 2025, the IVR system has received 3,691 calls, and 908 callers have been connected to live operators.

7. On September 10, 2024, Kroll created a dedicated Settlement Website entitled www.lansingsettlement.com. The Settlement Website “went live” on September 30, 2024 and contains a summary of the Settlement, important dates and deadlines, contact information for the Settlement Administrator, answers to frequently asked questions, downloadable copies of relevant documents, including the Consolidated Amended Class Action Complaint, Preliminary Approval Order, Settlement Agreement, Long Form Notice, and Claim Form, and allowed Class Members an opportunity to file a Claim Form online.

8. On September 13, 2024, Kroll received two (2) data files from the Defendant. The first file contained 756,680 names and U.S. mailing addresses. The second file contained 214 names and international mailing addresses for Class Members. Kroll undertook several steps to reconcile the two (2) lists and compile the eventual Settlement Class List for the mailing of Summary Notices. This included standardizing the address information and deduping the name and address fields. As a result of this data cleaning process, Kroll identified 754,853 unique records. Additionally, in an effort to ensure that Summary Notices would be deliverable to Class Members, Kroll ran the portion of the Settlement Class List containing U.S. mailing addresses through the USPS’s National Change of Address (“NCOA”) database and updated the Settlement Class List with address changes received from the NCOA.

9. On December 9, 2024, Kroll received two (2) additional data files from the Defendant that were utilized for a supplemental notice program as detailed in paragraph 14 below. The first file contained 766,934 names, U.S. mailing addresses, and email addresses. The second file contained 626,938 names and U.S. mailing addresses. Kroll undertook several steps to reconcile the two (2) lists and compile the eventual Settlement Class List for the supplemental email blast at the request of Class Counsel and LCC’s

Counsel (collectively “Counsel”). This included performing an exact match, rollup, and deduping the name and email address fields. As a result of this data cleaning process, Kroll identified 67,378 unique records with at least one email address to be included in the supplemental email blast to Class Members for whom a Summary Notice was returned undeliverable by the USPS (the “Email Notice”), as described below.

The Notice Program

10. On September 30, 2024, Kroll caused 754,853 Summary Notices to be mailed via first-class mail. A true and correct copy of the Summary Notice, along with the Long Form Notice and Claim Form, are attached hereto as **Exhibits C, D, and E**, respectively.

11. As of January 7, 2025, 1,708 Summary Notices were returned by the USPS with a forwarding address. Of those, 1,696 Summary Notices were automatically re-mailed to the updated addresses provided by the USPS. The remaining twelve (12) Summary Notices will not be remailed by Kroll at the request of Counsel.

12. As of January 7, 2025, 295,704 Summary Notices were returned by the USPS as undeliverable as addressed, without a forwarding address. As a result, Kroll has reason to believe that 60.82% of the Class Members were reached by the Summary Notice. Following consultation with Counsel and considering how to best maximize class outreach while endeavoring to preserve the value of the Settlement Fund, Kroll worked with Counsel to implement a supplemental Notice plan to increase the Notice program reach to Class Members. To allow for implementation of this supplemental Notice, Plaintiffs filed a Joint Motion to Extend Claims Administration Schedule, which sought to extend the objection, opt-out, and claim filing deadlines. ECF No. 45. The Court granted this request. ECF No. 47.

Supplemental Notice Program

13. At the request of Counsel, on December 16, 2024, Kroll caused the Email Notice to be sent to the 67,378 unique records with at least one email address as noted above in paragraph 9. A true and correct copy of a complete exemplar Email Notice (including the subject line) is attached hereto as **Exhibit F**. Of the 67,378 unique records included in the email blast, 32,243 Class Member emails were rejected/bounced back as undeliverable.

14. Following the completion of the Email Notice, Kroll has reason to believe that direct notice likely reached 65.5% of the Class Members. This reach rate was still below the reach rate of 70% considered to be best-practicable with other court-approved notice programs and Federal Judicial Center Guidelines. Kroll's business unit, Kroll Notice Media Solutions, therefore worked with Counsel to implement a supplemental media plan in order to bring the overall notice to Class Members up to the 70% level. To allow for implementation of this supplemental media plan, Plaintiffs filed a Joint Motion for Second Extension to Claims Administration Schedule, which sought to extend the objection and opt-out deadlines. ECF No. 54. The Court granted this request. ECF No. 56.

Supplemental Media Notice Program

15. The supplemental media notice program, consisting of online display and keyword search ads, began on December 31, 2024, and was substantially completed by January 3, 2025.

16. Online display banner ads were geographically targeted to Michigan adults 18 years of age or older via programmatic advertising placements.² Additional impressions were targeted to the broader national population of adults 18+. Keyword search advertisements appeared on Google. When searching for specific keywords or phrases related to the Settlement or Settlement-related content, a sponsored link appeared, providing brief information about the Settlement and the Settlement Class, and directing the user to the Settlement Website for more information. Such terms and topics included Data Security Breach, Lansing Community College Data Breach, Data Breach Settlement, and other similar terms.

17. Online display and keyword search ads delivered over 2.7 million impressions.

18. Attached hereto as **Exhibit G** are true and correct copies of the online display ads.

² In practice, when a user visits a website, an IP connection between the user's device and the publisher's webserver is established. The website then flags available ad tags so that the ad server can analyze data about the user, such as demographic attributes or location. This information is shared with advertising exchanges (*i.e.*, digital advertising marketplaces for ad space) where ad buyers can bid on the ad unit relevant to the campaign. If the ad unit is user-relevant, *i.e.*, it targets a class member, a bid is offered. Upon winning the bid for the ad unit, the ad is downloaded on a webpage for a user to see and this counts as an impression. Digital banner ads and social media ads include relevant information for the user to self-identify. If the user clicks on the ad, an embedded link takes them to the settlement website, where they can learn more about the settlement and potentially file a claim.

19. The Notice program, which includes a combination of direct mail and email notice and online display advertising reached an estimated 70.7% of the target audience, i.e. Class Members. This reach rate is consistent with other court-approved, best-practicable notice programs and Federal Judicial Center Guidelines, which state that a notice plan that reaches³ over 70% of targeted class members is considered a high percentage and the “norm” of a notice campaign.⁴

CLAIM ACTIVITY

20. The Claims Deadline is January 20, 2025.

21. As of January 7, 2025, Kroll has received 535 Claim Forms through the mail and 11,880 Claim Forms filed electronically through the Settlement Website. Kroll is still in the process of reviewing and validating Claim Forms. Additional updated claims and distribution information will be provided in a supplemental Settlement Administrator declaration by Kroll at least 5 days prior to the Final Approval Hearing.

22. To prevent Claim Forms from being filed by individuals outside the Settlement Class and to curtail fraud, Class Members were provided a unique “Class Member ID” on their respective Notices as part of the claims process. The Class Member ID is required for Settlement Class Members to file a Claim Form online.

EXCLUSIONS AND OBJECTIONS

23. The last day of the Opt-Out Period and the Objection Deadline was January 3, 2025.

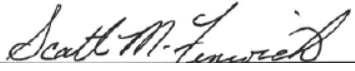
24. Kroll has received twelve (12) timely requests for exclusion and one (1) objection to the Settlement. A list of the exclusions is attached hereto as **Exhibit H**.

³ FED. JUD. CTR., *Judges’ Class Action Notice and Claims Process Checklist and Plain Language Guide* (2010), available at <https://www.fjc.gov/sites/default/files/2012/NotCheck.pdf>. The guide suggests that the minimum threshold for adequate notice is 70%.

⁴ Barbara Rothstein and Thomas Willging, *Federal Judicial Center Managing Class Action Litigation: A Pocket Guide for Judges*, at 27 (3d Ed. 2010).

CERTIFICATION

I declare under penalty of perjury under the laws of the United States that the above is true and correct to the best of my knowledge and that this declaration was executed on January 7, 2025, in Inver Grove Heights, Minnesota.



Scott M. Fenwick

Exhibit A

Page 1 of 6

VIA U.S. MAIL

Date: June 27, 2024

To: All “Appropriate” Federal and State Officials Per 28 U.S.C. § 1715
(*see attached service list*)

Re: CAFA Notice for the proposed Settlement in *In Re Lansing Community College Data Breach Litigation*, Case No: 1:23-cv-00738-PLM-RSK, pending in the United States District Court for the Western District of Michigan

Pursuant to Section 3 of the Class Action Fairness Act of 2005 (“CAFA”), 28 U.S.C. § 1715, Defendant Lansing Community College (“Defendant” or “LCC”) hereby notifies you of the proposed settlement of the above-captioned action (the “Action”), currently pending in the United States District Court for the Western District of Michigan (the “Court”).

Eight items must be provided to you in connection with any proposed class action settlement pursuant to 28 U.S.C. § 1715(b). Each of these items is addressed below, and all exhibits are available for download at www.CAFANotice.com under the folder entitled *In Re Lansing Community College*:

1. 28 U.S.C. § 1715(b)(1) – a copy of the complaint and any materials filed with the complaint and any amended complaints.

The operative Consolidated Amended Class Action Complaint is available as **Exhibit A**.

2. 28 U.S.C. § 1715(b)(2) – notice of any scheduled judicial hearing in the class action.

On June 18, 2024, Plaintiff filed an *Unopposed Motion for Preliminary Approval of Class Action Settlement*, and the date of the preliminary approval hearing has not yet been set. The Court has not yet scheduled the Final Approval Hearing for this matter. The proposed Preliminary Approval Order is available as **Exhibit B**.

3. 28 U.S.C. § 1715(b)(3) – any proposed or final notification to class members.

Copies of the proposed Long Form Notice, Short Form Notice and Claim Form will be provided to Class Members and will be available on the Settlement Website created for the administration of this matter. These are available as **Exhibits C, D, and E**, respectively. The Notices describe, among other things, the claim submission process and the Class Members’ rights to object or exclude themselves from the Class.

4. 28 U.S.C. § 1715(b)(4) – any proposed or final class action settlement.

The Settlement Agreement is available as **Exhibit F**.

5. 28 U.S.C. § 1715(b)(5) – any settlement or other agreement contemporaneously made between class counsel and counsel for defendants.

There are no other settlements or other agreements between Class Counsel and LCC's Counsel beyond what is set forth in the Settlement Agreement.

6. 28 U.S.C. § 1715(b)(6) – any final judgment or notice of dismissal.

A copy of the proposed Final Approval Order is available as **Exhibit G**.

7. 28 U.S.C. § 1715(b)(7) – (A) If feasible, the names of class members who reside in each State and the estimated proportionate share of the claims of such members to the entire settlement to that State's appropriate State official; or (B) if the provision of the information under subparagraph (A) is not feasible, a reasonable estimate of the number of class members residing in each State and the estimated proportionate share of the claims of such members to the entire settlement.

The definition of the Class in the proposed Settlement Agreement means all natural persons whose Personal Information was compromised in the Data Security Incident. The Class is estimated to contain 757,832 people. Excluded from the Settlement Class are: (1) the judges presiding over the Action and members of their immediate families and their staff; (2) LCC, its subsidiaries, parent companies, successors, predecessors, and any entity in which LCC or its parents, have a controlling interest, and its current or former officers and directors; (3) natural persons who properly execute and submit a Request for Exclusion prior to the expiration of the Opt-Out Period; and (4) the successors or assigns of any such excluded natural person..

The complete list and counts by state of Class Members is not known.

8. 28 U.S.C. § 1715(b)(8) – any written judicial opinion relating to the materials described in 28 U.S.C. § 1715(b) subparagraphs (3) through (6).

There has been no written judicial opinion. Accordingly, no such document is presently available.

If you have any questions about this CAFA Notice, the Action, or the materials available for download at www.CAFANotice.com under the folder entitled *In Re Lansing Community College Data Breach Litigation*, please contact the undersigned below.

Respectfully submitted,

T.Steven Smith
Senior Manager
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CAFA NOTICE SERVICE LIST

Exhibit B

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Exhibit C

In Re Lansing Community College Data Breach Litigation
c/o Kroll Settlement Administration
P.O. Box 225391
New York, NY 10150-5391

FIRST CLASS MAIL
U.S. POSTAGE PAID
CITY, ST
PERMIT NO. XXXX

ELECTRONIC SERVICE REQUESTED

COURT APPROVED LEGAL NOTICE

*Lansing Community College ("LCC")
Data Breach Litigation*

*In Re Lansing Community College Data Breach
Litigation, Case No. 1:23-cv-00738-PLM-RSK
(W.D. Mich.)*

**As a Result of the LANSING
COMMUNITY COLLEGE DATA BREACH,
You are Eligible for a CASH PAYMENT.**

This is not a solicitation from a lawyer.

This is NOT a Claim Form.

**For more information about the Settlement
and how to file a Claim Form visit or call:**

www.lansingsettlement.com

1-833-739-0859

<<Refnum Barcode>>

CLAIM NUMBER: <<Refnum>>

Postal Service: Please do not mark barcode

<<FirstName>> <<LastName>>

<<Address1>>

<<Address2>>

<<City>>, <<State>> <<Zip>>-<<zip4>>

<<Country>>

A proposed Settlement of a class action lawsuit arising out of a data security incident has been reached with Lansing Community College ("LCC"). Between December 25, 2022, and March 15, 2023, an unauthorized actor was able to access files stored on LCC's computer systems. As a result, Personal Information of individuals may have been accessed (the "Data Security Incident"). Impacted Personal Information may have included names and Social Security numbers relating to LCC employees, students, potential students, vendors, and others. Plaintiffs claim that LCC was negligent and otherwise violated the law in allowing the Data Security Incident to occur. LCC denies any wrongdoing. Plaintiffs and LCC have reached an agreement to settle these claims.

Who Is Included? The Court decided that Class Members include all natural persons whose Personal Information was compromised in the Data Security Incident.

What Does the Settlement Provide? The Settlement establishes a \$1,450,000.00 Settlement Fund which will be used to pay for costs of Notice and administration, Service Awards to the Class Representatives, Attorneys' Fee Award and Costs, and the Settlement relief to Class Members. Also, LCC has agreed to undertake certain remedial measures and enhanced data security measures. Class Members may only elect **ONE** of the Settlement Benefits described below:

- **Documented Loss Payments** – reimbursement for Actual Out-of-Pocket Losses, i.e., money spent or lost, that is more likely than not related to the LCC Data Security Incident (up to \$2,000.00 per individual), not otherwise reimbursable by insurance; **OR**
- **Alternative Cash Payments** – a pro rata cash payment, the amount of which will depend on the number of Class Members who participate in the Settlement and the type of Settlement relief selected by Class Members

How to Get Benefits: You must complete and file a Claim Form and Release online or by mail postmarked by **December 30, 2024**, including required documentation. You can file your claim online at www.lansingsettlement.com. You may also get a paper Claim Form at the above Settlement Website, or by calling the toll-free number below, and submit by U.S. mail.

Your Other Options. If you do not want to be legally bound by the Settlement, you must exclude yourself by **November 29, 2024**. If you do not exclude yourself, you will release any claims you may have against LCC or Released Parties (as defined in the Settlement Agreement) related to the LCC Data Security Incident, as more fully described in the Settlement Agreement, available at the Settlement Website. If you do not exclude yourself, you may object to the Settlement by **November 29, 2024**. Please review the Long Form Notice on the Settlement Website for further details.

The Final Approval Hearing. The Court has scheduled a Final Approval Hearing in this case (In re Lansing Community College Data Breach Litigation, Case No. 1:23-cv-00738-PLM-RSK (W.D. Mich.)) for **January 21, 2025, at 9:00 AM ET at 174 Federal Building, 410 W Michigan Ave., Kalamazoo, MI, 49007**, to consider: whether to approve the Settlement, Service Awards, attorneys' fees and expenses, as well as any objections. You or your attorney may attend and ask to appear at the hearing, but you are not required to do so. The hearing may be held remotely, so please check the Settlement Website for those details.

More Information. Complete information about your rights and options, as well as the Claim Form and Release, the Long Form Notice, and Settlement Agreement are available at www.lansingsettlement.com, or by calling toll free **1-833-739-0859**.

Exhibit D

Lansing Community College ("LCC") Data Breach Litigation

In Re Lansing Community College Data Breach Litigation, Case No. 1:23-cv-00738-PLM-RSK (W.D. Mich.)

Notice of Lansing Community College Data Breach Class Action Settlement

This is not a solicitation from a lawyer. This is a Court approved Notice.

Please read this Notice carefully and completely.

THIS NOTICE MAY AFFECT YOUR RIGHTS. PLEASE READ IT CAREFULLY.

- A proposed Settlement arising out of a data security incident has been reached with Lansing Community College ("LCC"). Between December 25, 2022, and March 15, 2023, an unauthorized actor was able to access files stored on LCC's computer systems. As a result, Personal Information of individuals may have been accessed (the "Data Security Incident"). Impacted Personal Information may have included names, dates of birth, and Social Security numbers relating to LCC employees, students, potential students, vendors, and others. If you were notified by Lansing Community College that your Personal Information may have been compromised because of the Lansing Community College Data Security Incident, you are included in this Settlement as a member of the Settlement Class.
- Under the Settlement, Lansing Community College has agreed to establish a \$1,450,000.00 Settlement Fund to be used to pay for one of the following benefits for Class Members:
 - Documented Loss Payments** – reimbursement for Actual Out-of-Pocket Losses, i.e., money spent or lost, that is more likely than not related to the LCC Data Security Incident (up to \$2,000.00 per individual or \$150,000 in the aggregate), not otherwise reimbursable by insurance; OR
 - Alternative Cash Payments** – a cash payment, the amount of which will depend on the number of Class Members who participate in the Settlement.
- The Settlement Fund will also be used to pay for the costs of the settlement administration, Court-approved Service Awards for the named Plaintiffs, and the Attorney's Fee Award and Costs. In addition, Lansing Community College has agreed to undertake certain remedial measures and enhanced security measures that they will continue to implement.
- Your legal rights will be affected whether you act or do not act. You should read this entire Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:

FILE A CLAIM FORM DEADLINE: DECEMBER 30, 2024	Submitting a Claim Form is the only way that you can receive any of the monetary Settlement Benefits provided by this Settlement, including Documented Loss Payments and Alternative Cash Payments. If you submit a Claim Form, you will give up the right to sue Lansing Community College and certain Released Parties in a separate lawsuit about the legal claims this Settlement resolves.
EXCLUDE YOURSELF FROM THIS SETTLEMENT DEADLINE: NOVEMBER 29, 2024	This is the only option that allows you to sue, continue to sue, or be part of another lawsuit against Lansing Community College, or certain Released Parties (as defined in the Settlement Agreement), for the claims this Settlement resolves. If you exclude yourself, you will give up the right to receive any Settlement Benefits from this Settlement.
OBJECT TO OR COMMENT ON THE SETTLEMENT DEADLINE: NOVEMBER 29, 2024	You may object to the Settlement by writing to the Court and informing it why you do not think the Settlement should be approved. You can also write the Court to provide comments or reasons why you support the Settlement. You will still be bound by the Settlement if it is approved, and you will not be allowed to exclude yourself from the Settlement. If you object, you may also file a Claim Form to receive Settlement Benefits, but you will give up the right to sue Lansing Community College and Released Parties in a separate lawsuit about the legal claims this Settlement resolves.
GO TO THE "FINAL APPROVAL" HEARING DATE: JANUARY 21, 2025	You may attend the Final Approval Hearing where the Court may hear arguments concerning approval of the Settlement. If you wish to speak at the Final Approval Hearing, you must make a request to do so in your written objection or comment. You are <u>not</u> required to attend the Final Approval Hearing.
DO NOTHING	If you do nothing, you will not receive any of the monetary Settlement Benefits and you will give up your rights to sue Lansing Community College and certain Released Parties for the claims this Settlement resolves.

This Settlement affects your legal rights even if you do nothing.

Questions? Go to www.lansingsettlement.com or call 1-833-739-0859

- These rights and options—and the deadlines to exercise them—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. No Settlement Benefits or payments will be provided unless the Court approves the Settlement and it becomes final.

BASIC INFORMATION

1. Why did I get this Notice?

A Court authorized this Notice because you have the right to know about the proposed Settlement of this class action lawsuit and about all of your rights and options before the Court decides whether to grant final approval of the Settlement. This Notice explains the lawsuit, the Settlement, your legal rights, what benefits are available, who is eligible for them, and how to get them.

The case is known as *In re Lansing Community College Data Breach Litigation*, Case No. 1:23-cv-00738-PLM-RSK (W.D. Mich.), before Judge Paul L. Maloney. The people who filed this lawsuit are called the “Plaintiffs” and the Entity they sued, Lansing Community College, is called the “Defendant.” The Plaintiffs and the Defendant agreed to this Settlement.

2. What is this lawsuit about?

In or around March 14, 2023, LCC became aware of a data security incident that involved an unauthorized actor hacking LCC’s internal computer systems. A subsequent investigation determined that, during the Data Security Incident, an unauthorized actor had accessed LCC’s network between December 25, 2022, and March 15, 2023, and was able to access the personal data of Plaintiffs and those similarly situated. LCC began notifying impacted individuals about the Data Security Incident on or around June 30, 2023.

Plaintiffs claim that Lansing Community College failed to adequately protect their Personal Information and that they were injured as a result. Lansing Community College denies any wrongdoing, and no court or other Entity has made any judgment or other determination of any wrongdoing or that the law has been violated. Lansing Community College denies these and all other claims made in the Action. By entering into the Settlement, Lansing Community College is not admitting that it did anything wrong.

3. Why is this a class action?

In a class action, one or more people called the Class Representatives sue on behalf of all people who have similar claims. Together all of these people are called a Class or Class Members. One court resolves the issues for all Class Members, except for those Class Members who exclude themselves from the Class.

The Class Representatives in this case are Ivory Whitby, Sameer Shah, Gabriel Banish, William Barber, Lindsay Luoma, and Chelsea Lee Ouimette.

4. Why is there a Settlement?

The Class Representatives (individually and on behalf of the Class) and Lansing Community College do not agree about the claims made in this Action. The Action has not gone to trial, and the Court has not decided in favor of the Class Representatives or Lansing Community College. Instead, the Class Representatives and Lansing Community College have agreed to settle the Action. The Class Representatives and attorneys for the Class, the Court-appointed Proposed Settlement Class Counsel, believe the Settlement is best for all Class Members because of the risks and uncertainty associated with continued litigation and the nature of the defenses raised by Lansing Community College.

WHO IS INCLUDED IN THE SETTLEMENT

5. How do I know if I am part of the Settlement?

The Court has decided that everyone who fits the following description is a Class Member:

All natural persons whose Personal Information was compromised in the Data Security Incident

If you were notified by Lansing Community College that your Personal Information may have been compromised because of the Lansing Community College Data Security Incident, you are included in this Settlement as a member of the Settlement Class. If you received this Notice of Settlement by mail, you may be a Class Member, and your legal rights may be affected by this Settlement. If you did not receive Notice by mail, or if you have any questions as to whether you are a Class Member, you may contact the Settlement Administrator.

Questions? Go to www.lansingsettlement.com or call 1-833-739-0859
This Settlement affects your legal rights even if you do nothing.

6. Are there exceptions to individuals who are included as Class Members in the Settlement?

Yes, the Settlement does not include: (1) the judges presiding over the Action and members of their immediate families and their staff; (2) LCC, its subsidiaries, parent companies, successors, predecessors, and any Entity in which LCC or its parents, have a controlling interest, and its current or former officers and directors; (3) natural persons who properly execute and submit a Request for Exclusion prior to the expiration of the Opt-Out Period; and (4) the successors or assigns of any such excluded natural person.

7. What if I am still not sure whether I am part of the Settlement?

If you are still not sure whether you are a Class Member, you may go to the Settlement Website at www.lansingsettlement.com, or call the Settlement Administrator's toll-free number at 1-833-739-0859.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does the Settlement provide?

The Settlement will provide Class Members with the opportunity to select and make a claim for one the following Settlement Benefits, which are discussed in further detail below:

- (1) Reimbursement for Actual Out-of-Pocket Losses ("Documented Loss Payments") (up to \$2,000.00 per individual or \$150,000 in the aggregate).

OR

- (2) an Alternative Cash Payment, the amount of which will depend on the number of Class Members who participate in the Settlement.

You may only elect ONE of the above options, which are explained in more detail below.

In addition, Lansing Community College has agreed to take certain remedial measures and enhance security measures as a result of this Action, as detailed in the Settlement Agreement and in Question 10 below.

Please review Number 12 carefully for additional information regarding the order in which Settlement Benefits are paid from the Settlement Fund. This additional information may impact your decision as to which of the two Settlement Benefit options is the best option for you.

A. Documented Loss Payment.

You may elect to submit a Claim Form for reimbursement of Documented Losses. If you spent money remedying or addressing identity theft and fraud that was more likely than not related to the Lansing Community College Data Security Incident or you spent money to protect yourself from future harm because of the Lansing Community College Data Security Incident, you may make a claim for a Documented Loss Payment for reimbursement of up to \$2,000 in Documented Losses, which is subject to an aggregate cap of \$150,000.

Documented Losses include unreimbursed losses and consequential expenses that are more likely than not related to the Lansing Community College Data Security Incident and incurred on or after December 25, 2022. Examples of Documented Losses include: (i) Long distance telephone charges; (ii) cell phone minutes (if charged by the minute); (iii) internet usage charges (if either charged by the minute or incurred solely as a result of the Data Security Incident); (iv) costs of credit reports purchased between December 25, 2022 and the Claims Deadline; (v) documented costs paid for credit monitoring services and/or fraud resolution services purchased between December 25, 2022 and the Claims Deadline; (vi) documented expenses directly associated with dealing with identity theft or identity fraud related to the Data Security Incident; (vii) other documented losses incurred by Class Members that are more likely than not related to the Data Security Incident as reasonably determined by the Settlement Administrator. To protect the Settlement Fund and valid claims, all Claim Forms submitted that seek payment related to credit or debit card fraudulent transactions will be carefully scrutinized by the Settlement Administrator.

Claims for Documented Loss Payments must be supported by Reasonable Documentation. Reasonable Documentation means written documents supporting your claim, such as credit card statements, bank statements, invoices, telephone records, and receipts.

Individual payments for Documented Losses may be reduced or increased depending on the number of Class Members that participate in the Settlement.

**Questions? Go to www.lansingsettlement.com or call 1-833-739-0859
This Settlement affects your legal rights even if you do nothing.**

To receive a Documented Loss Payment, you must submit a completed Claim Form electing to receive a Documented Loss Payment. If you file a Claim Form for a Documented Loss Payment and it is rejected by the Settlement Administrator and you do not correct it, the Settlement Administrator has discretion to consider your Claim Form as a claim for Alternative Cash Payment.

B. Alternative Cash Payment.

In the alternative to a Documented Loss Payment, you may elect to receive an Alternative Cash Payment. The amount of the Alternative Cash Payment will vary depending on the number of valid claims that are submitted. To receive an Alternative Cash Payment, you must submit a completed Claim Form electing to receive an Alternative Cash Payment.

You are not required to provide Reasonable Documentation with your Claim Form to receive an Alternative Cash Payment. Alternative Cash Payments may be reduced or increased *pro rata* (equal share) depending on the number of Class Members that participate in the Settlement and the amount of money that remains in the Cash Fund after payments of other Settlement Benefits and charges with priority for payment under the Settlement. *See* Number 9 below.

9. How will Settlement Benefits be paid?

Before determining which Settlement Benefit option from the Settlement is best for you (selecting an Alternative Cash Payment or Documented Loss Payment), it is important for you to understand how Settlement Payments will be made. The Settlement Fund will be used to make payments in the following order: (i) all Administrative Expenses, (ii) Fee Award and Costs and Plaintiff Service Awards, as approved by the Court, (iii) payment for valid claims for Documented Loss Payments pursuant to Section 3.2(a), up to the \$150,000 cap; (iv) approved Alternative Cash Payments on a *pro rata* basis to exhaust the balance of the Net Settlement Fund. Each Class Member may submit only one claim for himself or herself but may submit additional claims for other Class Members who are under the age of eighteen (18) at the time of the claim submission, and for whom they are a parent or legal guardian.

Court awarded attorney's fees up to a maximum of one-third (1/3) of the \$1,450,000.00 Settlement Fund, reasonable costs and expenses incurred by attorneys for the Class (not to exceed \$50,000) (referred to collectively as Fee Award and Costs), Administrative Expenses for costs of the settlement administration, and Service Awards of up to \$1,500 to each of the Class Representatives will be deducted from the Settlement Fund before making payments to Class Members. The Court may award less than these amounts. The remainder of the Settlement Fund will be distributed in the manner described in the Settlement Agreement.

10. Tell me more about Lansing Community College's remedial measures and enhanced security measures?

As a result of the Action, Lansing Community College has agreed to institute policies, procedures, and additional security-related remedial measures, including: expanding use of Multi-Factor Authentication ("MFA"); discontinuing the use of the vulnerable application attacked by the unauthorized actor; updating software ("patching") and systems; rebuilding compromised systems; resetting passwords of compromised accounts; implementing new and additional Endpoint Detection and Response ("EDR") software; and reducing the number of inactive and legacy user accounts.

11. What is the total value of the Settlement?

The Settlement provides a \$1,450,000 Settlement Fund, and, additionally, remedial actions will be taken by Lansing Community College for the benefit of the Class. Any Court-approved Fee Award and Costs, Service Awards to the Class Representatives, taxes due on any interest earned by the Settlement Fund, if necessary, and any notice and settlement administration expenses will be paid out of the Settlement Fund, and the balance ("Net Settlement Fund") will be used to pay for the above Settlement Benefits.

As part of the Settlement, as described above and in the Settlement Agreement, LCC has also adopted, continued, and/or implemented, or will adopt, continue, or implement, reasonable data and information security measures, at its expense, which are designed to strengthen LCC's data and information security. Any costs associated with Lansing Community College's remedial and enhanced security measures will be paid by Lansing Community College in addition to the Settlement Fund.

12. What am I giving up to get a Settlement Benefit or stay in the Class?

Unless you exclude yourself, you are choosing to remain in the Class. If the Settlement is approved and becomes final, all of the Court's orders will apply to you and legally bind you. You will not be able to sue, continue to sue, or be part of any other lawsuit against Lansing Community College and the Released Parties about the legal issues in this Action, resolved by this Settlement and released by the Class Action Settlement Agreement and Release. The specific rights you are giving up are called Released Claims (*see* next question).

Questions? Go to www.lansingsettlement.com or call 1-833-739-0859
This Settlement affects your legal rights even if you do nothing.

13. What are the Released Claims?

In exchange for the Settlement, the Class Representatives and all Class Members on behalf of themselves, their heirs, assigns, executors, administrators, predecessors, and successors, and any other person purporting to claim on their behalf, release and discharge all Released Claims, including Unknown Claims, against each of the Released Parties and agree to refrain from instituting, directing or maintaining any lawsuit, contested matter, adversary proceeding, or miscellaneous proceeding against each of the Released Parties that relates to the Data Security Incident or otherwise arises out of the same facts and circumstances set forth in the class action complaint in this Action. This Settlement releases claims against only the Released Parties. This Settlement does not release, and it is not the intention of the Parties to this Settlement to release, any claims against any third party. Nor does this Release apply to any Class Member who timely excludes himself or herself from the Settlement, or to any Class Member (or the estate of any Class Member) who has been confirmed to be deceased.

More information is provided in the Class Action Settlement Agreement and Release which is available at www.lansingsettlement.com.

HOW TO GET SETTLEMENT BENEFITS—SUBMITTING A CLAIM FORM

14. How do I make a claim for Settlement Benefits?

You must complete and submit a Claim Form by **December 30, 2024**. Claim Forms may be submitted online at www.lansingsettlement.com, or printed from the Settlement Website and mailed to the Settlement Administrator at the address on the form. Claim Forms are also available by calling **1-833-739-0859** or by writing to *In re Lansing Community College Data Breach Litigation*, c/o Kroll Settlement Administration, PO Box 225391, New York, NY 10150-5391. The quickest way to file a claim is online.

If you received a Notice by mail, use your Claim Number to file your Claim Form. If you lost or do not know your Claim Number, please call **1-833-739-0859** to obtain it.

You may submit a claim for either: (i) an Alternative Cash Payment; **OR** (ii) Documented Loss Payment by submitting a Claim Form on the Settlement Website, or by downloading, printing, and completing a Claim Form, and mailing it to the Settlement Administrator. You may only select one form of Settlement Benefit.

15. How do I make a claim for an Alternative Cash Payment?

To file a claim for an Alternative Cash Payment, you must submit a valid Claim Form electing to receive the Alternative Cash Payment. To submit a claim for an Alternative Cash Payment, you may either complete a Claim Form on the Settlement Website or print and mail a completed Claim Form to the Settlement Administrator, postmarked on or before **December 30, 2024**.

If you wish to receive your payment via digital payment method options instead of a check, simply select the option when filing a claim online. Anyone who submits a valid claim for an Alternative Cash Payment and does not elect to receive a digital payment or files a paper Claim Form, will receive their payment via regular check sent through U.S. Mail.

Instructions for filling out a claim for an Alternative Cash Payment are included on the Claim Form. You may access the Claim Form at www.lansingsettlement.com.

The deadline to file a claim for an Alternative Cash Payment is **December 30, 2024**. Mailed claims must be postmarked on or before this deadline.

16. How do I make a claim for a Documented Loss Payment for reimbursement?

To file a claim for a Documented Loss Payment of up to \$2,000 for reimbursement of Documented Losses, you must submit a valid Claim Form electing to receive a Documented Loss Payment. To submit a claim for a Documented Loss Payment, you may either complete a Claim Form on the Settlement Website or print and mail a completed Claim Form to the Settlement Administrator, postmarked on or before **December 30, 2024**.

Claims for Documented Losses will be capped at \$150,000. If the aggregate amount of valid claims for Documented Loss Payments exceeds \$150,000 then the payments for those claims will be reduced and paid proportionally to one another out of the \$150,000 cap for these claims.

The Claim Form requires that you sign the attestation regarding the information you provided and that you include Reasonable Documentation, such as credit card statements, bank statements, invoices, telephone records, and receipts.

Questions? Go to www.lansingsettlement.com or call 1-833-739-0859
This Settlement affects your legal rights even if you do nothing.

If your claim for a Documented Loss Payment is rejected by the Settlement Administrator and you do not correct it, your claim for a Documented Loss Payment will instead be considered a claim for an Alternative Cash Payment.

Instructions for filling out a claim for a Documented Loss Payment are included on the Claim Form. You may access the Claim Form at www.lansingsettlement.com.

The deadline to file a claim for a Documented Loss Payment is **December 30, 2024**. Claims must be filed (or postmarked if mailed) by this deadline.

17. What happens if my contact information changes after I submit a claim?

If you change your mailing address or email address after you submit a Claim Form, it is your responsibility to inform the Settlement Administrator of your updated information. You may notify the Settlement Administrator of any changes by calling **1-833-739-0859** or by writing to:

In re Lansing Community College Data Breach Litigation
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

18. When and how will I receive the Settlement Benefits I claim from the Settlement?

Payment for valid claims for an Alternative Cash Payment or a Documented Loss Payment will be provided by the Settlement Administrator after the Settlement is approved and becomes final. You may elect to receive payment for valid claims for an Alternative Cash Payment or Documented Loss Payment via digital payment instead of a check, by selecting that option when filing a claim online. Anyone who files a paper Claim Form or does not elect to receive payment via digital payment on an online claim, will receive their payment via regular check sent through U.S. Mail.

The approval process may take time. Please be patient and check www.lansingsettlement.com for updates.

19. What happens if money remains after all of the Settlement Claims are paid?

None of the money in the \$1,450,000.00 Settlement Fund will ever be paid back to Lansing Community College. Any money left in the Settlement Fund after 120 days after the distribution of payments to Class Members will be distributed *pro rata* (equal share) among all Class Members with Approved Claims who also cashed or deposited the initial payment they received for Alternative Cash Payments.

THE LAWYERS REPRESENTING YOU

20. Do I have a lawyer in this case?

Yes, the Court has appointed Benjamin F. Johns of Shub & Johns LLC, and Gary M. Klinger of Milberg Coleman Bryson Phillips Grossman LLC as Proposed Settlement Class Counsel to represent you and the Class for the purposes of this Settlement. You may hire your own lawyer at your own cost and expense if you want someone other than Proposed Settlement Class Counsel to represent you in this Action.

21. How will Proposed Settlement Class Counsel be paid?

Proposed Settlement Class Counsel will file a motion asking the Court to award them attorneys' fees of up to a maximum of one-third (1/3) of the \$1,450,000.00 Settlement Fund, plus the reimbursement of their reasonable costs and expenses (not to exceed \$50,000) (referred to collectively as "Fee Award and Costs"). They will also ask the Court to approve up to \$1,500 Service Awards to each of the Class Representatives for participating in this Action and for their efforts in achieving the Settlement. If awarded, these amounts will be deducted from the Settlement Fund before making payments to Class Members. The Court may award less than these amounts.

Proposed Settlement Class Counsel's application for attorneys' fees and expenses, and Service Awards will be made available on the Settlement Website at www.lansingsettlement.com before the deadline for you to comment or object to the Settlement. You can request a copy of the application by contacting the Settlement Administrator, at **1-833-739-0859**.

Questions? Go to www.lansingsettlement.com or call 1-833-739-0859
This Settlement affects your legal rights even if you do nothing.

EXCLUDING YOURSELF FROM THE SETTLEMENT

If you are a Class Member and want to keep any right you may have to sue or continue to sue Lansing Community College and/or the Released Parties on your own based on the claims raised in this Action or released by the Released Claims, then you must take steps to get out of the Settlement. This is called excluding yourself from – or “opting out” of – the Settlement.

22. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must complete and sign a Request for Exclusion. The Request for Exclusion must be in writing and identify the case name *In Re Lansing Community College Data Breach Litigation*, Case No. 1:23-cv-00738-PLM-RSK pending in the United States District Court for the Western District of Michigan before the Honorable Paul L. Maloney; state the name, address and telephone number and Claim Number of the Class Members seeking exclusion; identify any lawyer representing the Class Member; be physically signed by the Person(s) seeking exclusion; and must also contain a statement to the effect that “I hereby request to be excluded from the proposed Settlement Class in *In Re Lansing Community College Data Breach Litigation*, Case No. 1:23-cv-00738-PLM-RSK pending in the United States District Court for the Western District of Michigan” The Request for Exclusion must be postmarked or received by the Settlement Administrator at the address below no later than **November 29, 2024**:

In re Lansing Community College Data Breach Litigation
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391

You cannot exclude yourself by telephone or by e-mail.

23. If I exclude myself, can I still get a Settlement Payment as part of this class action settlement?

No. If you exclude yourself, you are telling the Court that you do not want to be part of the Settlement. You can only get a Settlement Payment if you stay in the Settlement and submit a valid Claim Form.

24. If I do not exclude myself, can I sue Lansing Community College for the same thing later?

No. Unless you exclude yourself, you give up any right to sue Lansing Community College and Released Parties for the claims that this Settlement resolves. You must exclude yourself from this Action to start or continue with your own lawsuit or be part of any other lawsuit against Lansing Community College or any of the Released Parties. If you have a pending lawsuit, speak to your lawyer in that case immediately.

OBJECT TO OR COMMENT ON THE SETTLEMENT

25. How do I tell the Court that I do not like the Settlement?

You can ask the Court to deny approval of the Settlement by filing an objection. You cannot ask the Court to order a different settlement; the Court can only approve or reject the Settlement. If the Court denies approval, no Settlement Payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

Any objection to the proposed Settlement must be in writing. If you file a timely written objection, you may, but are not required to, appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers must (a) identify the case name and number; (b) state the Class Member’s full name, current mailing address, and telephone number; (c) contain a statement by the Class Member that he or she believes himself to be a member of the Settlement Class; (d) include proof that the Class Member is a member of the Settlement Class (e.g., copy of the settlement Notice, copy of the original notice of the Data Security Incident); (e) identify the specific factual and legal grounds for the objection; (f) identify whether the Objection is an objection to the Settlement in part or in whole; (g) state whether the objection applies only to the objector, a subset of the Settlement Class, or the entire Settlement Class; (h) identify all counsel representing the Class Member, if any; (i) include a list, including case name, court, and docket number, of all other cases in which the objector and/or the objector’s counsel has filed an objection to any proposed class action settlement in the past five (5) years; (j) include all documents or writings that the Class Member desires the Court to consider; (k) contain a statement regarding whether the Class Member (or counsel of his or her choosing) intends to appear at the Final Approval Hearing; and (l) contain the signature of the Class Member or the Class Member’s duly authorized attorney or representative.

All objections must be submitted to the Court either by mailing them to the Clerk of Court’s Office, U.S. District Court for the Western

Questions? Go to www.lansingsettlement.com or call 1-833-739-0859
This Settlement affects your legal rights even if you do nothing.

District of Michigan, 107 Federal Bldg., 410 W Michigan Ave., Kalamazoo MI 49007, or filing in person with the Court postmarked on or before **November 29, 2024**.

Objections must also be sent to the Settlement Administrator and Class Counsel postmarked by **November 29, 2024** at the following addresses:

In re Lansing Community College Data Breach Litigation
c/o Kroll Settlement Administration LLC
PO Box 225391
New York, NY 10150-5391

SHUB & JOHNS LLC
Benjamin F. Johns Four Tower Bridge
200 Barr Harbor Drive, Ste 400
Conshohocken, PA 19428

26. What is the difference between objecting and requesting exclusion?

Objecting is telling the Court you do not like something about the Settlement. You can object only if you stay in the Class (that is, do not exclude yourself). Requesting exclusion is telling the Court you do not want to be part of the Class or the Settlement. If you exclude yourself, you cannot object to the Settlement because it no longer affects you.

THE FINAL APPROVAL HEARING

27. When and where will the Court decide whether to approve the Settlement?

The Court will hold a Final Approval Hearing on **January 21, 2025 at 9:00 AM ET** before the Honorable Paul L. Maloney, U.S.D.J., U.S. District Court for the Western District of Michigan, 174 Federal Building, 410 W Michigan Ave., Kalamazoo MI 49007.

The date and time of the Final Approval Hearing is subject to change without further notice to the Settlement Class. Class Members should monitor the Settlement Website or the Court's online docket site to confirm whether the date for the Final Approval Hearing is changed. Please note that the hearing may be held via telephone or video conference. All details about the Final Approval Hearing will be posted on the Settlement Website.

At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate, and will decide whether to approve: the Settlement; Proposed Settlement Class Counsel's application for Fee Award and Costs; and the Service Awards to the Class Representatives. If there are objections, the Court will consider them. The Court will also listen to people who have asked to speak at the hearing.

28. Do I have to come to the Final Approval Hearing?

No. Proposed Settlement Class Counsel will answer any questions the Court may have. However, you are welcome to attend at your own expense. If you send an objection, you do not have to come to Court to talk about it. As long as you mail your written objection on time the Court will consider it.

29. May I speak at the Final Approval Hearing?

Yes. If you wish to attend and speak at the Final Approval Hearing, you must indicate this in your written objection (*see* Question 26). Your objection must state that it is your intention to appear at the Final Approval Hearing and must identify any witnesses you may call to testify or exhibits you intend to introduce into evidence at the Final Approval Hearing. If you plan to have your attorney speak for you at the Final Approval Hearing, your objection must also include your attorney's name, address, and phone number.

IF YOU DO NOTHING

30. What happens if I do nothing at all?

If you are a Class Member and you do nothing, you will not receive any Settlement Benefits. You will also give up certain rights,

Questions? Go to www.lansingsettlement.com or call 1-833-739-0859
This Settlement affects your legal rights even if you do nothing.

including your right to start a lawsuit, continue with a lawsuit, or be part of any other lawsuit against Lansing Community College or any of the Released Parties about the legal issues in this Action and released by the Settlement Agreement.

GETTING MORE INFORMATION

31. How do I get more information?

This Notice summarizes the proposed Settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement available at www.lansingsettlement.com, or by contacting Proposed Settlement Class Counsel (*see below*), by accessing the Court docket in this case, for a fee, through the Court's ECF System at PACER, <https://pacer.uscourts.gov/>, or by visiting the office of the Clerk of Court's Office, U.S. District Court for the Western District of Michigan, 107 Federal Bldg., 410 W Michigan Ave., Kalamazoo MI 49007.

If you have questions about the proposed Settlement or anything in this Notice, you may contact Proposed Settlement Class Counsel at:

SHUB & JOHNS LLC
Benjamin F. Johns
Four Tower Bridge
200 Barr Harbor Drive, Ste 400
Conshohocken, PA 19428
bjohns@shublawyers.com

MILBERG COLEMAN BRYSON
PHILLIPS GROSSMAN PLLC
Gary M. Klinger
227 W. Monroe Street
Suite 2100
Chicago, IL 60606
866-252-0878
gklinger@milberg.com

PLEASE DO NOT CONTACT THE COURT OR THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.

Questions? Go to www.lansingsettlement.com or call 1-833-739-0859
This Settlement affects your legal rights even if you do nothing.

Exhibit E

830620000000

The DEADLINE
to submit or mail this
Claim Form is:
December 30, 2024

Lansing Community College (“LCC”) Data Breach Litigation
In Re Lansing Community College Data Breach Litigation,
Case No. 1:23-cv-00738-PLM-RSK (W.D. Mich.)

For Office Use
Only

CLAIM FORM

I. GENERAL INSTRUCTIONS

If you are an individual who was notified that your Personal Information was potentially compromised because of a data security incident that involved an unauthorized actor hacking LCC’s computer network between December 25, 2022, and March 15, 2023 (the “Data Security Incident”), you are a Class Member and eligible for compensation.

As a Class Member, you are eligible to make a claim for **ONE (1)** of the following two options; you may **NOT** select both:

- (1) Reimbursement for Actual Out-of-Pocket Losses (“Documented Loss Payments”) (up to \$2,000 per individual).

OR

- (2) an Alternative Cash Payment, the amount of which will depend on the number of Class Members who participate in the Settlement and submit claims for Documented Loss Payments.

If the aggregate number of valid claims for Actual Out-of-Pocket Losses exceeds \$150,000 then the payments for those claims will be reduced and paid proportionally to one another out of the \$150,000 cap for these claims.

Complete information about the Settlement and its benefits are available at www.lansingsettlement.com.

Please complete this Claim Form on behalf of the individual who received a notification from Lansing Community College.

This Claim Form may be submitted online at www.lansingsettlement.com or completed and mailed to the address below. Please type or legibly print all requested information, in blue or black ink. Mail your completed Claim Form, including any supporting documentation, by U.S. mail to:

*In re Lansing Community College Data Breach
Litigation*
c/o Kroll Settlement Administration
PO Box 225391
New York, NY 10150-5391



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II. CLAIMANT INFORMATION

The Settlement Administrator will use this information for all communications regarding this Claim Form and the Settlement. If this information changes prior to distribution of cash payments, you must notify the Settlement Administrator in writing at the address above.

First Name_____
MI_____
Last Name_____
Alternative Name(s)_____
Mailing Address, Line 1: Street Address/P.O. Box_____
Mailing Address, Line 2_____
City_____
State_____
Zip Code(____)____-_____
Cellphone Number(____)____-_____
Home Telephone Number_____
Email Address @ _________/____/_____
Date of Birth (mm/dd/yyyy)**83062**_____
Claim Number Provided on mailed Notice (if known)

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III. CLASS MEMBERSHIP☐

Please check this box if you received a Notice related to this Class Action, and you have provided your Unique ID Number in Section II above.

☐

Please check this box if you have **not** received a letter Notice but believe that you should be included in the Class. You must provide Reasonable Documentation demonstrating that you were impacted by the Lansing Community College Data Security Incident and are a Class Member.

IV. CLAIMANT SELECTION OF SETTLEMENT OPTION

You may select ONE (1) of the following options:

(1) ALTERNATIVE CASH PAYMENT☐

If you wish to receive an Alternative Cash Payment, you must check off the box for this section, and then simply return this Claim Form.

The amount of the Alternative Cash Payment will be determined after the Settlement Fund is used to pay for reasonable Administrative Expenses, Service Awards approved by the Court, any amounts approved by the Court for the Attorney's Fee Award and Costs, Taxes, and Approved Claims for Reimbursements for Actual Out-of- Pocket Losses (up to the \$150,000 cap).

OR

(2) REIMBURSEMENT FOR DOCUMENTED LOSSES☐

Please check off this box for this section if you are electing to seek reimbursement for up to \$2,000 of Documented Losses you incurred that are more likely than not traceable to the Lansing Community College Data Security Incident and not otherwise reimbursable by insurance. Documented Losses include unreimbursed losses and consequential expenses that are more likely than not related to the Lansing Community College Data Security Incident and incurred on or after December 25, 2022.

Examples of Documented Losses include: (i) Long distance telephone charges; (ii) cell phone minutes (if charged by the minute); (iii) internet usage charges (if either charged by the minute or incurred solely as a result of the Data Security Incident); (iv) costs of credit reports purchased between December 25, 2022 and the Claims Deadline; (v) documented costs paid for credit monitoring services and/or fraud resolution services purchased between December 25, 2022 and the Claims Deadline; (vi) documented expenses directly associated with dealing with identity theft or identity fraud related to the Data Security Incident; (vii) other documented losses incurred by Class Members that are more likely than not related to the Data Security Incident as reasonably determined by the Settlement Administrator.

In order to make a claim for a Documented Loss Payment, you **MUST** (i) fill out the information below and/or on a separate sheet submitted with this Claim Form; (ii) sign the attestation at the end of this Claim Form (Section VI); and (iii) include Reasonable Documentation supporting each claimed cost along with this Claim Form. Documented Losses need to be deemed more likely than not due to the Lansing Community College Data Security Incident by the Settlement Administrator based on the documentation you provide and the facts of the Lansing Community College Data Security Incident. **Failure to meet the requirements of this section may result in your claim being rejected by the Settlement Administrator.**



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Cost Type (Fill all that apply)	Approximate Date of Loss	Amount of Loss	Description of Supporting Reasonable Documentation (Identify what you are attaching and why)
<input type="radio"/> Unreimbursed fraud losses or charges	____/____/____ (mm/dd/yy)	\$ _____ . ____	<i>Examples: Account statement with unauthorized charges highlighted; Correspondence from financial institution declining to reimburse you for fraudulent charges.</i> _____ _____ _____
<input type="radio"/> Professional fees incurred in connection with identity theft or falsified tax returns	____/____/____ (mm/dd/yy)	\$ _____ . ____	<i>Examples: Receipt for hiring service to assist you in addressing identity theft; Accountant bill for re-filing tax return</i> _____ _____ _____
<input type="radio"/> Lost interest or other damages resulting from a delayed state and/or federal tax refund in connection with fraudulent tax return filing	____/____/____ (mm/dd/yy)	\$ _____ . ____	<i>Examples: Letter from IRS or state about tax fraud in your name; Documents reflecting length of time you waited to receive your tax refund and the amount</i> _____ _____ _____
<input type="radio"/> Credit freeze	____/____/____ (mm/dd/yy)	\$ _____ . ____	<i>Examples: Notices or account statements reflecting payment for a credit freeze</i> _____ _____ _____



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Cost Type (Fill all that apply)	Approximate Date of Loss	Amount of Loss	Description of Supporting Reasonable Documentation (Identify what you are attaching and why)
<input type="radio"/> Credit monitoring that was ordered between March 2, 2023, and the Claims Deadline	____/____/____ (mm/dd/yy)	\$ _____ . ____	<i>Example: Receipts or account statements reflecting purchases made for credit monitoring and insurance services</i> _____ _____ _____
<input type="radio"/> Miscellaneous expenses such as notary, fax, postage, copying, mileage, and long- distance telephone charges	____/____/____ (mm/dd/yy)	\$ _____ . ____	<i>Example: Phone bills, gas receipts, postage receipts; detailed list of locations to which you traveled (i.e. police station, IRS office), indication of why you traveled there (i.e. police report or letter from IRS re: falsified tax return) and number of miles you traveled to remediate or address issues related to the Lansing Community College Data Security Incident</i> _____ _____ _____
<input type="radio"/> Other (provide detailed description)	____/____/____ (mm/dd/yy)	\$ _____ . ____	<i>Please provide detailed description below or in a separate document submitted with this Claim Form</i> _____ _____ _____

If you do not submit Reasonable Documentation supporting a Documented Loss Payment claim, or your claim for a Documented Loss Payment is rejected by the Settlement Administrator for any reason and you do not cure the defect, your claim will be considered for an Alternative Cash Payment.



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V. CERTIFICATION

By submitting this Claim Form, I certify that I am eligible to make a claim in this Settlement and that the information provided in this Claim Form and any attachments are true and correct. I further submit to the jurisdiction of the Court with respect to my claim and for purposes of enforcing the releases set forth in any Final Approval Order and Judgment that may be entered in the Action.

I acknowledge that, as of the Effective Date of the Settlement, pursuant to the terms set forth in the Settlement Agreement, and by operation of law and the Final Approval Order and Judgment, I shall be deemed to release and forever discharge and shall be forever enjoined from prosecuting any claims relating to the Data Security Incident and the Released Claims against Lansing Community College and the Released Parties (as more fully defined in the Settlement Agreement and/or Final Approval Order and Judgment).

I declare under penalty of perjury under the laws of Michigan that the foregoing is true and correct. I understand that this claim may be subject to audit, verification, and Court review and that the Settlement Administrator may require supplementation of this Claim or additional information from me. I also understand that all claim payments are subject to the availability of settlement funds and may be reduced in part or in whole, depending on the type of claim and the determinations of the Settlement Administrator.

Signature: _____

Date: ____ / ____ / ____

Print Name

VI. ATTESTATION
(REQUIRED FOR DOCUMENTED LOSS PAYMENT CLAIMS ONLY)

I, _____, declare that I suffered the Documented Losses claimed above.
[Name]

I also attest that the Documented Losses claimed above are accurate and were not otherwise reimbursable by insurance.

I declare under penalty of perjury under the laws of my state of residence that the foregoing is true and correct.

Executed on _____, in _____, _____.
[Date] [City] [State]

[Signature]

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Exhibit F

From:

To:

Subject: Email Notice of Lansing Community College Data Breach Class Action Settlement

Class Member ID: <<RefNum>>

NOTICE OF LANSING COMMUNITY COLLEGE DATA BREACH CLASS ACTION SETTLEMENT

This is not a solicitation from a lawyer. This is a Court approved email notice.

Please read this email notice carefully and completely.

As a Result of the LANSING COMMUNITY COLLEGE DATA BREACH, You are Eligible for a CASH PAYMENT

A proposed Settlement of a class action lawsuit arising out of a data security incident has been reached with Lansing Community College (“LCC”). Between December 25, 2022, and March 15, 2023, an unauthorized actor was able to access files stored on LCC’s computer systems. As a result, Personal Information of individuals may have been accessed (the “Data Security Incident”). Impacted Personal Information may have included names, dates of birth, and Social Security numbers relating to LCC employees, students, potential students, vendors, and others. Plaintiffs claim that LCC violated the law in allowing the Data Security Incident to occur. LCC denies any wrongdoing. Plaintiffs and LCC have reached an agreement to settle these claims.

Who Is Included? The Court decided that Class Members include all natural persons whose Personal Information was compromised in the Data Security Incident.

What Does the Settlement Provide? The Settlement establishes a \$1,450,000.00 Settlement Fund which will be used to pay for costs of Notice and administration, Service Awards to the Class Representatives, Attorneys’ Fee Award and Costs, and the Settlement relief to Class Members. Also, LCC has agreed to undertake certain remedial measures and enhanced data security measures. Class Members may only elect **ONE** of the Settlement Benefits described below:

- **Documented Loss Payments** – reimbursement for Actual Out-of-Pocket Losses, i.e., money spent or lost, that is more likely than not related to the LCC Data Security Incident (up to \$2,000.00 per individual), not otherwise reimbursable by insurance; **OR**
- **Alternative Cash Payments** – a pro rata cash payment, the amount of which will depend on the number of Class Members who participate in the Settlement and the type of Settlement relief selected by Class Members

How to Get Benefits: You must complete and file a Claim Form and Release online or by

mail postmarked by **January 20, 2025**, including required documentation. You can file your claim online at www.lansingsettlement.com. You may also get a paper Claim Form at the above Settlement Website, or by calling the toll-free number below, and submit by U.S. mail.

Your Other Options. If you do not want to be legally bound by the Settlement, you must exclude yourself by **December 20, 2024**. If you do not exclude yourself, you will release any claims you may have against LCC or Released Parties (as defined in the Settlement Agreement) related to the LCC Data Security Incident, as more fully described in the Settlement Agreement, available at the Settlement Website. If you do not exclude yourself, you may object to the Settlement by **December 20, 2024**. Please review the Long Form Notice on the Settlement Website for further details.

The Final Approval Hearing. The Court has scheduled a Final Approval Hearing in this case (*In re Lansing Community College Data Breach Litigation*, Case No. 1:23-cv-00738-PLM-RSK (W.D. Mich.)) for **January 21, 2025, at 9:00 AM ET at 174 Federal Building, 410 W Michigan Ave., Kalamazoo, MI, 49007**, to consider: whether to approve the Settlement, Service Awards, attorneys' fees and expenses, as well as any objections. You or your attorney may attend and ask to appear at the hearing, but you are not required to do so. The hearing may be held remotely, so please check the Settlement Website for those details.

More Information. Complete information about your rights and options, as well as the Claim Form and Release, the Long Form Notice, and Settlement Agreement are available at www.lansingsettlement.com, or by calling toll free **1-833-739-0859**.

Unsubscribe

Exhibit G

Display Banner Ad



Google Search Ad

Headlines

⋮	Headline 1	Lansing CC Data Breach
⋮	Headline 2	Lansing CC Data Breach Lawsuit
⋮	Headline 3	Lansing Data Breach Settlement
⋮	Headline 4	Lansing Data Breach Litigation
⋮	Headline 5	Lansing Community College Data
⋮	Headline 6	Lansing Data Breach Lawsuit
⋮	Headline 7	Lansing CC Settlement
⋮	Headline 8	Lansing CC Lawsuit
⋮	Headline 9	Lansing CC PII Settlement
⋮	Headline 10	Lansing CC PII Lawsuit
⋮	Headline 11	Lansing CC PII Litigation
⋮	Headline 12	Lansing Community College PII
⋮	Headline 13	Lansing Data Security Incident
⋮	Headline 14	Court Authorized Notice
⋮	Headline 15	File A Claim Now

Descriptions

⋮	Description 1	Personal Information compromised in the Lansing Community College Data Security Incident?
⋮	Description 2	You may be eligible for compensation.

Sponsored



www.lansingsettlement.com
<https://www.lansingsettlement.com>

[Lansing CC Data Breach | Lansing CC Data Breach Lawsuit | Lansing Data Breach Settlement](#)

Personal Information compromised in the Lansing Community College Data Security Incident? You may be eligible for compensation.

[FAQs](#)[Court Documents](#)

Call (833) 739-0859

Exhibit H

Exclusion List

Count	First Initial	Last Name
1	A	HUBBARD
2	A	BEARD
3	C	BROWNELL
4	D	TASEVSKA
5	J	WEILAND
6	J	BLOCK
7	L	SPITLER
8	R	PILAND
9	S	SPITLER
10	S	JUNE
11	S	BROWNELL
12	T	LETTICH